

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

RANDELL L. McDONALD)	
)	
Plaintiff,)	
vs.)	Case Number CIV-09-710-C
)	
STATE OF OKLAHOMA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by United States Magistrate Judge Robert E. Bacharach on December 11, 2009. The Court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge (Dkt. No. 28) is adopted and the Court rules as follows: Plaintiff's request for expungement of the conviction is dismissed with prejudice for failure to state a valid claim; Plaintiff's claims for monetary relief against Defendant Jackson in his official capacity are dismissed without prejudice; Plaintiff's claims for damages against Defendant Jackson in his individual capacity are dismissed with prejudice, based on expiration of the limitations period. The Court declines to exercise supplemental jurisdiction over the state law claims and these claims are dismissed without prejudice. As this terminates all claims against all parties, this matter will

be closed by entry of Judgment.

IT IS SO ORDERED this 9th day of February, 2010.



ROBIN J. CAUTHRON
United States District Judge